

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CARLOS ZELAYA, AND CARLOS ZELAYA AS
ADMINISTRATOR AD PROSEQUENDUM OF THE
ESTATE OF RUTH ZELAYA AND OF JOSE CARLO
ZELAYA

Plaintiffs,

v.

MADISON SQUARE GARDEN, L.P., 247 W. 37TH
STREET LLC LLC I/S/H/A STITCH BAR & LOUNGE,
INC. AND KEVIN FREIBOTT,

Defendants.

Case No.: 08 CV 2933 (LBM)

NOTICE OF MOTION

**ORAL ARGUMENT IS
REQUESTED**

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law and all the pleadings and proceedings heretofore had therein, the undersigned shall move this court before the Honorable Lawrence McKenna at the United States District Courthouse, 500 Pearl Street, New York, New York on a date convenient for the court, for an Order allowing defendant 247 West 37th Street, LLC i/s/h/a Stitch Bar & Lounge, Inc. to supplement the report of its liability expert, Robert Pandina, Ph.D. and for such other and further relief as this Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers are due on or before May 31, 2011 and reply thereto is June 3, 2011.

NOWELL AMOROSO KLEIN BIERMAN, P.A.

Dated: May 20, 2011

By: /s/ Alexander J. Drago

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